

## Chapter 1 – PURPOSE and NEED

### 1.1 INTRODUCTION

49 Degrees North Mountain Resort (49 Degrees North) is proposing to expand its use of National Forest System lands (NFS lands) in northeastern Washington. This proposal is part of a revised 49 Degrees North Master Plan (CBSC 2000) which was submitted to the Colville National Forest (CNF) in 2000. This Final Environmental Impact Statement (FEIS) discloses and evaluates the potential environmental effects of implementing the Master Plan proposed and an alternative.

49 Degrees North is located in the southern Selkirk Range of northeast Washington. It is approximately 10 miles east of Chewelah, Washington (**Figure 1-1**) and is 50 miles north of Spokane, Washington. The existing 1,220-acre ski area operates on approximately 900 acres of National Forest System lands administered by the Colville National Forest and 320 acres of adjacent private land. The Chewelah Basin Ski Corporation is sole owner/operator of 49 Degrees North Mountain Resort. 49 Degrees North Mountain Resort currently operates a full winter and limited summer schedule. From November to April, five ski lifts serve 540-acres of alpine skiing with a lift capacity of approximately 1,800 skiers per hour. Year-round visitor services include the day lodge and a 1,000-vehicle parking area. The day lodge, ski lifts, water system, wastewater system and maintenance facilities are operated by the Chewelah Basin Ski Corporation under their USDA Forest Service Special Use Permit.

The entire resort area is within Stevens County, Washington. Existing ski runs and lifts are located on the north side of Chewelah Mountain (**Figure 1-2**). The legal description for this project area includes Sections 1, 2, 11 and 12 of Township 32 North, Range 41 East and Sections 6, 7 and 8 of Township 32 North, Range 42 East, Willamette Meridian.

The north half of Township 32 North, Range 42 East, Section 7 (**Figure 1-2**) is owned by the Chewelah Basin Ski Corporation. Located in the Nelson Creek drainage, about 23 acres of ski runs are currently located in this half-section. Some of the alternatives propose activities on this private land.

Washington State land is located just north of the resort in Township 32 North, Range 42 East Section 6, and Township 33 North, Range 41 East Section 36 (**Figure 1-2**). Twenty acres is currently leased from the Washington State Department of Natural Resources for the Chewelah Peak Learning Center; and 262 acres is leased to the Flowery Trail Community Association for a 101-lot residential subdivision; and 87 acres are leased to Chewelah Basin Ski Corp. Some of the alternatives propose activities in this area.

The Federal Highways Administration, U.S. Department of Transportation is currently reconstructing the Flowery Trail Road, which provides access to the resort from both east and west. The Flowery Trail Road project will change the resort entrance and increase the parking capacity<sup>1</sup>. **Figure 1-3** shows both the current conditions and the conditions upon completion of the project. This project is scheduled for completion in 2006.

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<sup>1</sup> The parking area was about 6 acres with a capacity was about 570 vehicles. In the summer of 2003, the Flowery Trail Road reconstruction project expanded the existing parking areas to about 11 acres with a capacity of about 1,000 vehicles.

Insert figure 1-1—regional map with existing ski area

Insert figure 1-2—existing ski area

Insert figure 1-3—existing ski area base area

## 1.2 PURPOSE AND NEED

The purpose and need for this project is based on the need to implement a new Master Plan for the 49 Degrees North Mountain Resort. The existing Master Plan covered past growth, and activities identified in that Plan are completed. A new Plan is needed to guide development over the next decade and respond to growing skier numbers at 49 Degrees North. A new Plan for development of the ski area is also a requirement of the existing Special Use Permit for 49 Degrees North. The new Master Plan must provide for meeting a growing skier demand while maintaining the economic viability of 49 Degrees North.

To accomplish these goals, the new Master Plan addresses the following problems and opportunities:

- The need for additional ski terrain to respond to increased demand, to enhance the skiing experience and to compete effectively in the local ski market;
- The need to decrease crowding, reduce skier congestion/conflicts thus increasing safe operating conditions;
- The need to maintain the economic viability of 49 Degrees North to ensure its continued operation;
- The need for the associated infrastructure of lifts, lodges, maintenance areas, parking, water, sewage, power and related skier services;
- The need to balance the Comfortable Carrying Capacity of ski terrain, lifts, parking, lodge space and other facilities.

### 1.2.1 Need for Additional Ski Terrain

Population growth in the 49 Degrees North service area is projected to continue beyond national averages, which increases the potential skier market. Stevens, Pend Oreille, Ferry and Spokane counties in Washington have experienced population increases over the past ten years of 29.5%, 31.6%, 15.3% and 15.7% respectively. Together, these four counties had a total population increase of approximately 70,000 between 1990 and 2000 (US Census Bureau 2000a-d).

Skier visits<sup>2</sup> to 49 Degrees North have increased steadily (**Figure 1-4**). The number of skiers has increased by 108% over the past 12 years from 36,827 in the 1989-1990 season to 76,866 in the 2001-2002 season. The number of visitors fluctuate somewhat annually, depending on a number of factors including weather and the number of days the resort operates. When a trend line is applied to the figures, the increase over the past 12 years is a more modest 65%.

The current management team acquired the resort in 1996. The veracity of the number of skier visits prior to 1996 is unknown. The number of skier visits has grown from 43,000 in 1996 to over 76,000 in 2002 – an increase of 180%. These increases in skier visits have occurred despite expansions at other ski areas in the same market area including Silver Mountain and Schweitzer.

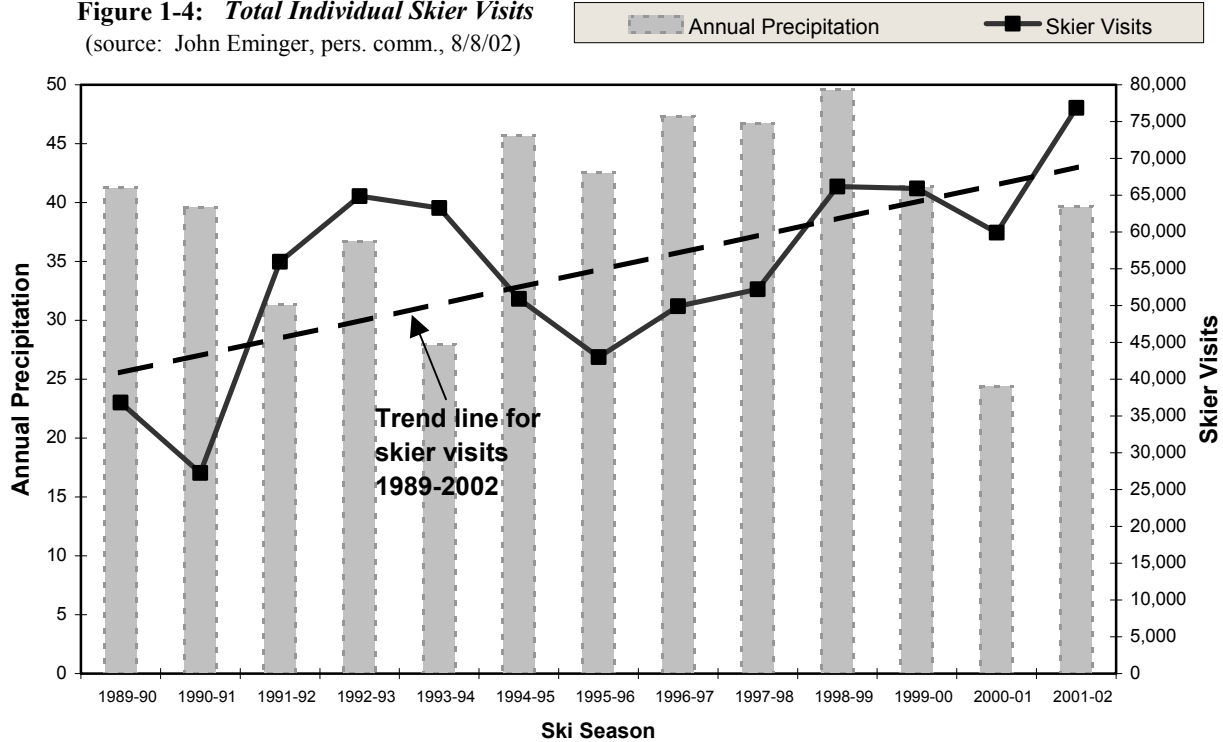
Skier visit numbers for the last 5 years indicate that weekend use is often over 1,500 skiers per day. The number of skiers exceeded 1,000 on 24 days of the 100-day season (24% of the time)

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<sup>2</sup> In this EIS skier visits include snowboard visits.

during the 2001-2002 season. When additional facilities are built, additional skiers would come to use them in a safe and more relaxed atmosphere (Eminger 2002a).

**Figure 1-4: Total Individual Skier Visits**  
(source: John Eminger, pers. comm., 8/8/02)



A survey of 14 ski areas in Washington State for the 1999-2000 season showed that skier visits (including snowboard visits) totaled 1,924,433 compared to 1,770,210 during the 1998-99 season. This 8.71% increase in use is attributed to population growth in the area, expanding school programs, and optimal snow conditions (Pacific Northwest Ski Area Association 2002).

#### 1.2.1.1 Increased Ski School Participation

The Ski School program at 49 Degrees North has many 3, 4, and 6-week programs on weekends and holidays. Participation increased from 2,600 registrants in the 1999-2000 season to 3,800 in the 2001-2002 season. The 46% increase reflects the growing movement to family lifetime activities. These ski school participants present a significant addition to lift lines, lodge and parking facilities.

#### 1.2.1.2 Increased Demand For Terrain

The small size and dependence on only two summit chairlifts at 49 Degrees North significantly limit its attractiveness to skiers and its competitiveness in the local ski market. The majority of ski areas that have had economic difficulties over the past several decades have been those with limited terrain and summit lifts, which make it difficult to compete with the larger ski areas.

### **Need for the Ski Terrain Proposed**

Ski areas need to provide terrain for skiers of all abilities. The distribution of terrain typically mirrors the distribution of skiers abilities<sup>3</sup>. Currently, the amount of advanced and intermediate terrain is lacking. The development of appropriately designed cleared runs and gladed skiing would alleviate this need.

Currently the Silver Ridge area is the most popular and crowded portion of the ski terrain. Portions of the West Basin have similar slopes, and could be better developed to provide a similar ski experience, thereby reducing crowding on Silver Ridge.

Lower Silver Ridge experiences congestion where several runs merge. In addition, people leaving the resort to the parking areas are funneled through the Main Lodge area, causing more congestion. Terrain on the lower Silver Ridge area could be developed to alleviate this congestion.

These factors have been the source of continuing comment to 49 Degrees North management for many years (Eminger 2002a).

## **1.2.2 Need to Decrease Crowding and Improve Safety**

The demand for skiing at 49 Degrees North has produced uncomfortably crowded conditions, especially on weekends and holidays in the lodge and at the base of the ski lift. Skier numbers continue to increase at 49 Degrees North, as well as the population served. Based on these increases, the existing crowded conditions will continue to worsen over time. The proposed expansion is designed to meet a comfortable balance in use.

### **1.2.2.1 Lift Lines, Crowding and Safety**

Lift lines are a problem when the area receives more than 1,500 skiers per day. Lift lines are about 10 minutes for 1,000 skiers per day, and about 15 minutes or more when skier numbers exceed 1,500 per day (Eminger 2002a). In the 2001-2002 season, skier numbers averaged 766 skiers per day and exceeded 1,000 on 24 of the 100 days of operation (24% of the time).

Lift lines and crowding at ski areas are always a safety concern, as the probability of collisions typically increases with the number of skiers per unit area. Similar to other areas, skier collisions or near misses are more frequent at 49 Degrees North during peak-use days, particularly at the bottom of the lift where skiers congregate and wait in line. Unlike other areas, however, this situation is aggravated at 49 Degrees North because:

- Skiers of different abilities must use the same runs and the same lift; and
- There is little room near the base of the hill for a long lift line, without extending the line uphill onto the ski runs.

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<sup>3</sup> This distribution is not based on acres, but on skier capacity. Higher ability terrain supports fewer skiers per acre.

Mixing skiers of different abilities creates more opportunities for skier accidents because skiers traveling at different speeds and trajectories funnel together at the bottom of the hill near the lift loading area. When lift lines are long, there is little room for the line to extend, except uphill. Providing additional lifts and runs for skiers of different abilities helps disperse skiers over the hill, reduces lift lines, decreases congestion the base area, and decreases the probability of collisions (Eminger 2002a).

Although the ski area has increased in popularity, it has reached its carrying capacity. 49 Degrees North predicts that without the proposed action, winter use would remain crowded and slowly decline in use as other ski areas expand and improve their facilities. It is predicted that the ski area would continually lose skiers as other ski areas expand and become more aggressive in marketing. With the current lift and facilities, the ski area does not offer modern facilities, a key element for the area to be profitable and remain in business (Eminger 2002a).

### 1.2.2.2 Lodge Crowding

The existing Main Lodge at 49 Degrees North seats 595 people, whereas weekend use is often over 1,000 skier visits per day. When skier visits exceed 1,500 people per day, the Main Lodge exceeds comfortable service levels. The largest skier attendance days exceed 3,000. Over the past 5 years, days exceeding 1,500 skier visits per day ranged from 11 to 18 operating days per season (Eminger 2002a). In the 2001-2002 season, skier visits exceeded 1,000 per day 24% of the time.

In addition to down-hill skiers, the lodge is used by an unknown number of snowmobilers and Nordic skiers, who use the nearby trails.

### 1.2.2.3 Parking Lot Crowding

The parking lot was about 6 acres and could accommodate about 570 vehicles. Crowding at the 49 Degrees North parking lot was a problem on weekends, holidays, and during special events. During the past two seasons, up to 700 cars and 4 buses were parked at the ski area parking lot and along the County Road (Eminger 2002a).

Reconstruction of the Flowery Trail Road increased the existing parking areas to about 11 acres which can accommodate about 1,000 vehicles. It is important that the resort continue to supply sufficient parking to accommodate the proposed increase in skiers.

### 1.2.3 Need to Maintain Economic Viability

To remain economically viable, 49 Degrees North must accommodate increasing demand in order to compete effectively in the local ski market. This may be accomplished by increasing the capacity for downhill skiing and by diversifying the recreation opportunities at the resort. The area has a history of economic struggles that have



**Figure 1-5.** View of the Main Lodge from below the Bonanza ski lift.



caused past ownership changes and prevented past expansion efforts. John Eminger, owner/president of 49 Degrees North estimates that about 75,000 skier visits per year are needed for the existing operation to maintain economic viability. However, the current lodge and lift configuration cannot accommodate these numbers. Mr. Eminger predicts that the proposed action would increase average skier visits to approximately 90,000 per year in 5 years (Eminger 2002a). This would be a 20% increase or about 15,000 more skiers than present. This increase could be realized if the area operated 5 days per week during the ski season. The average number of visitors would be about 900 per day, an increase of 20% from the current average of 750 skiers per day (Eminger 2002a).

If 49 Degrees North does not expand, it may experience declines in use as skiers migrate to other areas. The proposed action is designed to make 49 Degrees North more attractive to skiers by providing less crowded conditions and a greater range of skiing experiences. It would meet the increase in skier demand and help the ski area achieve a more stable economic status. Although ski area use has increased historically, the ski area has struggled economically in years past. The local economy has been hindered by declines in the mining and logging industries. However, the population within the 49 Degrees North service area has increased substantially and is projected to continue to increase.

#### **1.2.3.1 Affordable Skiing**

49 Degrees North was developed by the Chewelah Basin Ski Corporation to provide affordable winter recreation and is dedicated to maintaining the family-oriented atmosphere and affordable skiing. 49 Degrees North has made a commitment to continue the traditions of the past, including the affordable lift prices. The proposed action was designed to provide affordable skiing that would be sustained by ticket sales to local users and users within the region (Eminger 2002a).

The preservation of a family atmosphere and low lift ticket prices were identified as important issues during the NEPA public scoping processes for the proposed expansions at Lookout Pass, Discovery Basin, and Lost Trail Ski Areas. Many families who choose to live in rural areas of northeastern Washington have lower incomes than their urban counterparts (see **Chapter 3 – Socioeconomic**). Modest incomes can lead to financial constraints and therefore, decreased opportunities to downhill ski. For people living in snow country, skiing can be a social event, enjoyed with friends and family. An important quality-of-life factor for many local families is the time they spend skiing with their children. These social factors can be addressed by a ski area specifically designed to meet local needs, which serve a relatively small number of people and provide basic skier services.

#### **1.2.4 Need to Balance Comfortable Carrying Capacity**

Comfortable Carrying Capacity (CCC) is the maximum number of skiers that can be accommodated while providing both a pleasant recreational experience and a high-quality environment (Eminger 2002c). Comfortable Carrying Capacity is considered balanced when these resort amenities (lifts, terrain, lodges, parking areas, utilities) can each serve about the same number of skiers. **Table 1-1** illustrates that the current CCC at 49 Degrees North is not balanced. Lodge space, lift capacity, and waste water treatment capacity are significantly below the corresponding CCC of other amenities. Expansion plans must address these differences in order to provide a more balanced experience for visitors.

**Table 1-1. Comfortable Carrying Capacity of the Existing Area**

Area or Element	Number of People at One Time
Ski Terrain	3,300
Chairlifts	2,000
Lodge	1,800
Parking	2,700
Water	2,700
Wastewater Treatment	2,000

## 1.3 PROPOSED ACTION

The proposed action under review in this document is the increase in Comfortable Carrying Capacity of 49 Degrees North Mountain Resort on the Colville National Forest in northeastern Washington. The proposed action was formulated to address the purpose and need identified in Section 1.2.

The proposal by the applicant (Alternative B) would increase the area of cleared ski runs from about 340 to 650 acres, most of which would be on National Forest System lands. An additional area of about 270 acres would be thinned to increase the area of tree skiing from 200 to 470 acres. New facilities would also include 1 chairlift, 4 acres of parking<sup>4</sup>, a wastewater treatment facility, 15,000 feet of water supply pipeline, a water storage tank, 11,000 feet of underground electrical cable, a Nordic ski center with ice rink, 10 miles of new Nordic trails, additional RV parking, tent camping, a 36,000 square-foot expansion of the Main Lodge, and a new maintenance shop. Up to 13 new culverts would be installed (9 on the new Nordic trails, 3 on new ski runs, and one on the Flowery Trail Community trail), and 3 culverts in existing ski runs would be replaced because they are too short. The Special Use Permit for the ski area would also allow mountain biking, horseback riding, and hiking in the summer on the Nordic ski trails and ski area maintenance roads. More detailed discussions of the proposal components are presented in **Chapter 2 – Alternative Descriptions**.

## 1.4 SCOPE OF THE PROPOSAL

The scope of this environmental impact statement was determined through public scoping and agency analysis, in accordance with the requirements of 40 CFR 1508.25. The scope of the actions to be addressed includes the proposed expansion of the 49 Degrees North Mountain Resort. This proposal includes additional ski runs, a chairlift, expanded Main Lodge and parking facilities, additional buildings, new culverts, new water and sewer systems and additional electrical supplies. Details of the proposed action and its alternatives are discussed in **Chapter 2**.

The effects of these actions are described in **Chapter 3**. This EIS considered the proposed action, similar actions, connected actions, past, present and reasonably foreseeable actions in order to determine the direct, indirect and cumulative effects.

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<sup>4</sup> This parking is in addition to the parking created with the Flowery Trail Road reconstruction.

**Similar Actions** are those actions which, when viewed with other reasonably foreseeable or proposed actions, have similarities that provide a basis for evaluating their environmental consequences together, such a common timing or geography. No similar actions were identified related to this proposal.

**Connected Actions** are closely related actions that should be discussed in the same EIS. Actions are connected if they:

- Automatically trigger other actions which may require environmental assessment;
- Cannot or would not proceed unless other actions are taken previously or simultaneously;
- Are interdependent parts of a larger action and depend on the larger action for their justification.

For this project, connected actions are those that would occur on private land but which are inextricably tied to activities on NFS lands. Portions of several proposed developments (Nordic ski trails, ski runs, ski lifts, gladed skiing areas, water pipelines, underground electrical lines) are located on the private land in T. 32N, R. 42E, Section 7. Portions of the trail connecting the resort to the Learning Center and the Flowery Trail Community are located on State Lands in T. 32N, R. 42E, Section 6; and T. 33N, R. 41E, Section 36. These are connected actions because the proposals on federal lands clearly require these developments on the adjacent private or State Lands. The Mid-Mountain Lodge is also a connected activity -- while the lodge would be located entirely on private land (Section 7), the water and power needed to support the lodge would cross NFS lands. This EIS treats connected actions as part of the proposed action.

**Past and Present Actions** are those actions that have happened in the past or are continuing activities. Examples of past actions include past timber sales, the initial construction of the Flowery Trail Road, and the initial development of the Flowery Trail Community subdivision. Recent and on-going actions in this area include:

- Chewelah Mountain/Power Peak SnoPark. Washington State Parks Dept. grooms a series of snowmobile trails, some of which begin at the Flowery Trail Community subdivision and follow the Cottonwood Divide road to the south.
- The Chewelah Mountain Trail. The Forest Service maintains a 12-mile trail is used by hikers, Nordic skiers, horses and mountain bikes. This trail begins and ends near the Resort's main lodge, and portions of the trail are located within the Special Use Permit area.
- Reconstruction of the Flowery Trail Road. The U.S. Dept. of Transportation, Federal Highways Administration is reconstructing the road. Construction began in 1999 and is expected to conclude in 2006. This project relocates segments of road in the vicinity of the Resort, modifies the entrance to the Resort, and enlarges the Resort's parking area.
- The Chewelah Peak Learning Center. A learning center was recently constructed on State Lands in Section 36. The facility includes dormitories and a dining hall to accommodate up to 200 people, breakout classrooms and meeting rooms, an auditorium and library, and nearby natural areas for scientific study or outdoor recreation. The learning center is about 0.25 miles north of the resort. Alternatives B and C include a trail that would access the center.

**Reasonably Foreseeable Actions** are future actions that might reasonably be expected, regardless of land ownership or jurisdiction. Reasonably foreseeable actions in the vicinity of this project include:

- The Quartzite Watershed Management Project. This project is located west of the resort in the Thomason, Sherwood and Cottonwood watersheds. A Record of Decision for this project was signed March 28, 2003. The project includes commercial timber sales, prescribed fire, pre-commercial thinning, road construction, road improvements, road closures and riparian treatments in Woodward Meadows.
- Continued construction of new homes in the Flowery Trail Community subdivision. Home sites remain to be developed, and it is reasonable to expect that they would continue to be developed in the future.

The Chewelah Ski Basin Corp. has indicated a desire to eventually develop the private land in Section 7 to include commercial developments – possibly including a hotel or hostel and residences. This is not a connected action because it could be developed regardless of the alternative selected. Alternatives B and C, by extending the resort into this area, increase the likelihood of future development.

**Direct Effects** are those that could be caused by the proposed action and connected actions, which occur at the same time and place. Actions that could cause or influence direct effects include tree and large shrub removal for ski run preparation, Best Management Practices (BMPs), and mitigation measures.

**Indirect Effects** are those effects that could be caused by the proposed action and connected actions, but occur later in time or farther removed in distance. Direct and indirect effects are considered equally in the analysis and not specifically identified or disclosed separately.

**Cumulative Effects** are those effects that could result from incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agencies (Federal or non-Federal) or persons are undertaking such other actions.

Direct, indirect and cumulative effects of the alternatives are described in **Chapter 3**.

## 1.5 ORGANIZATION OF THE DOCUMENT

The FEIS relies heavily on the 1988 Colville National Forest Land and Resources Management Plan (Forest Plan) for management direction in relation to all forest resources. **Chapter 2** presents the key resource issues and describes the alternatives considered. **Chapter 3** describes the existing conditions of specific resources and the changes that would occur to each resource by implementation of each alternative. Direct, indirect and cumulative impacts are discussed.

Appendix A is a List of Preparers, identifying those who conducted the analyzes and prepared this environmental impact statements. Appendix B lists those who received a copy of the DEIS or its summary<sup>5</sup>, and discusses the comments received on the DEIS. Appendix C is a List of References, providing the full citation for those references noted in the environmental impact statement.

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<sup>5</sup> The DEIS was also available at the Colville National Forest offices in Colville and Newport, at the resort, and posted on the Colville National Forest website. People picking up the DEIS from these sources are not listed.

A Biological Assessment (BA) was prepared for the proposal, as specified in the Endangered Species Act of 1973 (50 CFR 17, as amended) and the National Forest Management Act (NFMA) (36 CFR 219), respectively. Provisions of the Endangered Species Act direct federal agencies to seek to conserve threatened and endangered species and to ensure that actions authorized, funded, or carried out by them are not likely to jeopardize the continued existence of threatened or endangered species, or result in adverse modification of their critical habitats. The BA addresses possible effects to the threatened gray wolf, Canada lynx, grizzly bear, bald eagle, bull trout, and endangered woodland caribou.

## **1.6 DECISION TO BE MADE**

This environmental impact statement is not a decision document. This document discloses the environmental consequences of implementing the proposed action or alternatives to that action. The Forest Supervisor for the Colville National Forest is the Deciding Official. The decision to be made is whether or not to implement the proposed new ski area Master Plan, and if so, which alternative to select. The decision and the rationale for that decision will be stated in the Record of Decision.

## **1.7 MANAGEMENT DIRECTION**

Guidance for managing recreation area developments on NFS lands is presented below. This guidance includes laws, regulations, memoranda of understanding and other agreements. The Forest Plan provides specific criteria for consideration on the Colville National Forest.

### **1.7.1 Natural Resources Agenda**

On March 2, 1998, then Chief Mike Dombeck announced the Forest Service Natural Resource Agenda, which provides the Chief's focus for the Forest Service, and identifies specific areas where there will be added emphasis, including:

- Watershed health and restoration,
- Forest road policy,
- Sustainable forest management,
- Recreation.

The alternatives have been designed to be consistent with these goals.

### **1.7.2 The Recreation Agenda**

The primary goal of *The Recreation Agenda* (USDA Forest Service 1999) is to provide quality recreation opportunities on NFS Lands in an ecologically sustainable manner. One of the purposes of this initiative is to promote local economic diversity by encouraging travel and tourism opportunities in collaboration with professionals in the private sector. Ski areas operated by the private sector provide a wide range of winter and summer outdoor recreation opportunities that can contribute to shaping local economies.

### **1.7.3 The National Forest Ski Area Permit Act and Related Agreements**

The Forest Service is to provide recreational opportunities on NFS Lands funded through private enterprise. Special Use Permits (SUPs) are to be administered for recreation uses that serve the public, promote public health and safety, and protect the environment (16 USC 497). The 1986 National Forest Ski Area Permit Act (16 USC 497b) authorizes the issuance of ski area permits by the Forest Service for “the use and occupancy of suitable NFS Land for Nordic and alpine skiing operations and purposes.” The act further states that a SUP “shall encompass such acreage as the Forest Service determines sufficient and appropriate to accommodate the permittee’s needs for ski operations and appropriate ancillary facilities.”

Specific programs and agreements are in place between the Forest Service and winter sports organizations to promote skiing and related recreation on NFS Lands. The National Ski Area Association (NSAA) and Forest Service have a Memorandum of Understanding that defines the role of each in promoting winter sports (USDA Forest Service 2002a). These two groups have also combined efforts to promote winter recreation through the National Winter Sports Partnership.

### **1.7.4 Access for Skiers With Disabilities**

Ski areas on National Forest System lands must comply with state, local, and Federal regulations regarding accessibility for skiers with disabilities. The proposed action is designed to comply with all state, local, and Federal requirements (American with Disabilities Act and Section 504 of the Rehabilitation Act of 1973). Project facilities will be designed using recommendations from the Forest Service “Accessibility Guidebook for Ski Areas on Public Lands” (USDA Forest Service 2000b).

### **1.7.5 The Forest Service Manual**

The Forest Service Manual (USDA Forest Service 1997) provides guidance for administering ski area Special Use Permits and considering changes in permit conditions. Further guidance is provided for evaluating expansion proposals and performing environmental analysis appropriate to these proposals. Forest Service Manual requirements are incorporated into the alternatives identified in this document.

### **1.7.6 Executive Order 13112 Invasive Species**

In implementing any authorized activities, 49 Degrees North will be required to comply with Executive Order 13112 (Clinton 1999), which addresses issues related to invasive species such as noxious weeds. Policies and management activities have been developed by the Colville National Forest to address invasive species and will be incorporated into future activities at 49 Degrees North.

### **1.7.7 Inland Native Fish Strategy**

In development of the alternatives considered for the 49 Degrees North proposal, standards and guidelines of the Colville National Forest Land and Resource management plan as amended by

the Inland Native Fish Strategy (INFISH) were used specifically to protect water and aquatic biota. The Inland Native Fish Strategy was prepared in July 1995, to provide interim direction to protect habitat and populations of resident native fish outside of anadromous fish habitat in eastern Oregon, eastern Washington, Idaho, western Montana, and portions of Nevada. Under the authority of 36 CFR 219.10(f), the decision amended Forest Plans in the 22 affected Forests, including the Colville National Forest (USDA Forest Service 1995).

### 1.7.8 Migratory Bird Executive Order

On January 10, 2001, President Clinton signed an Executive Order 13186 describing the Responsibilities of Federal Agencies to Protect Migratory Birds, directing executive departments and agencies to take certain actions to further implement the Migratory Bird Treaty Act (Clinton 2001). Section 3 of the Order states, "Each Federal agency taking actions that have, or are likely to have, a measurable negative effect on migratory bird populations is directed to develop and implement, within 2 years, a Memorandum of Understanding (MOU) with the Fish and Wildlife Service that shall promote the conservation of migratory bird populations." Item e-6 directs that each agency shall "ensure that environmental analyses of Federal actions required by the NEPA or other established environmental review processes evaluate the effects of actions and agency plans on migratory birds, with emphasis on species of concern." This FEIS evaluates effects of the proposed activities on neotropical (migratory) birds, as disclosed in **Chapter 3** (Wildlife).

### 1.7.9 Colville National Forest Plan

General management direction for National Forests is found in the Forest Plans. These plans provide Forest-wide goals and objectives. The Colville Forest Plan (USDA Forest Service 1988a) established Forest-wide multiple use goals, objectives, and Management Area (MA) prescriptions and standards. The Forest Plan placed the existing ski area into MA 3C (**Figure 1-2**). This MA was created to accommodate future expansion of 49 Degrees North.

Management Area 3C emphasizes downhill skiing. The management goal is to:

*"Provide for quality winter recreation opportunities including downhill skiing, Nordic skiing and other compatible uses." The description of MA 3C in the Forest Plan is: "Management integrates ski area development and use with other resource management to provide healthy tree stands, vegetative diversity, forage production for wildlife and opportunities for dispersed recreation including Nordic skiing, hiking, mountain bikes and berry picking. Visual resources are managed so that the character is one of forested areas interspersed with openings of varying widths and shapes. Facilities may dominate but should harmonize and blend with the natural setting."*

Additional management guidelines are provided for individual resources within MA 3C. These are discussed in **Chapter 3** for each individual resource.

## **1.8 CHANGES BETWEEN THE DRAFT AND FINAL ENVIRONMENTAL IMPACT STATEMENT**

Most of the changes between the Draft and Final EIS are minor in scope. Several of these changes were made in response to comments.

- The FEIS corrected a number of typographical errors.
- The need for additional ski terrain was discussed in greater detail. See **Sections 1.2.1 and 2.2.4.3.**
- The description of the alternatives was slightly revised to underscore the differences. See **Section 2.3.2.**
- The consultation with Native American Tribes was described in more detail. See **Section 2.2.1.1.**
- The description of the effects of treating the old growth stand was expanded. See **Section 3.3.4.**

In response to a comment by The Lands Council, Alternative C was revised slightly. In the DEIS the proposed Nordic ski trails were to be 50-feet wide. The Lands Council asked why they needed to be so wide. Upon further reflection, the proponent and the Forest Service agreed that they did not need to be 50-feet wide everywhere. See **Section 2.3.6.4.**

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***Colville Forest Supervisor Rick Brazell is the responsible official for this proposal.***

***For additional information about this project contact:***

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